

### Remarks

Claims 1-6, 8-14, and 16 remain pending in this application after entry of this paper. Original claims 1-16 were rejected. Independent claims 1 and 9 have been amended to incorporate the subject matter of dependent claims 7 and 15, respectively. Claims 7 and 15 have been cancelled. Each independent claim now specifically recites that the compression ratio of the low pressure turbocharger is greater than a compression ratio of the high pressure turbocharger. As explained in the specification at page 5, lines 3-5, this makes it possible for the temperature rise across the second stage compressor to be relatively low, such that there is no strong need to send this air through a second charge air cooler.

Original claims 1-6 and 9-14 were rejected under 35 U.S.C. § 102(e) as being anticipated by *Brookshire et al.* (U.S. Pub. No. US2005/0103013A1). Applicants contend that *Brookshire et al.* is not prior art. Applicants' filing date is September 16, 2003. The filing date of *Brookshire et al.* is November 17, 2003. According to Public PAIR, the *Brookshire et al.* application does not make a domestic priority claim. Further, although the specification of *Brookshire et al.* does make a specific reference to a provisional application, this provisional application has a filing date of November 13, 2002 and thus there is no co-pendency, and there cannot be any valid domestic party claim.

The Examiner rejected original claims 1-2 and 9-10 under 35 U.S.C. § 102(b) as being anticipated by *Osaka Gas*. As mentioned above, claims 1 and 9 have been amended to incorporate the subject matter of original claims 7 and 15, respectively.

Original claims 7-8 and 15-16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over either *Brookshire et al.* or *Osaka Gas*. As noted above, Applicants contend that *Brookshire et al.* is not prior art. Regarding *Osaka Gas*, claims 1 and 9 (as amended) are believed to recite patentable subject matter that is not obvious in light of *Osaka Gas*. Specifically, the claims recite that the compression ratio of the low pressure turbocharger is greater than a compression ratio of the high pressure turbocharger. In this way, the

temperature rise across the second stage compressor is relatively low and there is no strong need to send this air through a second charge air cooler. Applicants contend that this relationship of compression ratios is not an obvious design modification.

Applicants direct the Examiner's attention to the fact that *Osaka Gas* does illustrate a charge air cooler after the first compressor stage and another charge air cooler after the second compressor stage. Thus, Applicants believe that *Osaka Gas* does not suggest or appreciate the invention as now claimed.

Regarding claims 8 and 16, these claims specifically recite that the compression ratio of the low pressure turbocharger is greater than 1.5 times the compression ratio of the high pressure turbocharger, and are believed to recite further patentable subject matter. The remaining claims are dependent claims and are also believed to be patentable.

The pending claims are believed to be in condition for allowance, and such action is respectfully requested.

Respectfully submitted,

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